



APPENDIX**18 U. S. C. 9, 10, 11 (54 Stat. 670)**

“Sec. 9—

(a) It shall be unlawful for any person, with intent to interfere with, impair, or influence the loyalty, morale, or discipline of the military or naval forces of the United States—

(1) to advise, counsel, urge, or in any manner cause insubordination, disloyalty, mutiny, or refusal of duty by any member of the military or naval forces of the United States; or

(2) to distribute any written or printed matter which advises, counsels, or urges insubordination, disloyalty, mutiny, or refusal of duty by any member of the military or naval forces of the United States.

(b) For the purposes of this section, the term ‘military or naval forces of the United States’ includes the Army of the United States, as defined in section 1 of the National Defense Act of June 3, 1916, as amended (48 Stat. 153; U. S. C. Title 10, sec. 2), the Navy, Marine Corps, Coast Guard, Naval Reserve, and Marine Corps Reserve of the United States; and, when any merchant vessel is commissioned in the Navy or is in the service of the Army or the Navy, includes the master, officers, and crew of such vessel.

“Sec. 10—

(a) It shall be unlawful for any person—

(1) to knowingly or willfully advocate, abet, advise, or teach the duty, necessity, desirability or propriety of overthrowing or destroying any government in the United States by force or violence, or by the assassination of any officers of any such government.

(2) with the intent to cause the overthrow or destruction of any government in the United States, to print, publish, edit, issue, circulate, sell, distribute, or publicly display any written or printed matter advocating, advising, or teaching the duty, necessity, desirability, or propriety of overthrowing or destroying any government in the United States by force or violence;

(3) to organize or help to organize any society, group, or assembly of persons who teach, advocate, or encourage the overthrow or destruction of any government in the United States by force or violence; or to be or become a member of, or affiliate with, any such society, group, or assembly of persons, knowing the purposes thereof.

(b) For the purposes of this section, the term 'government in the United States' means the Government of the United States, the government of any State, Territory, or possession of the United States, the government of the District of Columbia, or the government of any political subdivision of any of them.

"Sec. 11—

It shall be unlawful for any person to attempt to commit, or to conspire to commit, any of the acts prohibited by the provisions of this title."

**The "ways and means" portion of the indictment
(R. 7-10)**

"(1) the defendants, who were officers, leaders, active members, and in control of a certain political party or organization known as the Socialist Workers Party, which said party or organization was composed of a large number of persons, the exact number being to the Grand Jurors unknown, would procure, induce, influence, incite, and encourage the members of the Socialist Workers Party, and divers other persons, whose names are to the Grand Jurors

unknown, to join with them to bring about the overthrow by force of the Government of the United States, and the destruction thereof by force, and the opposition by force to the authority thereof.

(2) The defendants would seek to bring about, whenever the time seemed to them propitious, an armed revolution against the Government of the United States, and the authority thereof.

(3) Said armed revolution would be brought about and joined in by the workers and laborers and farmers of the United States, or as many of them as said defendants and their co-conspirators could procure and induce to engage therein.

(4) Said workers, laborers and farmers would be by the defendants and their co-conspirators urged, counseled, and persuaded that the Government of the United States was imperialistic, capitalistic and organized and constituted for the purpose of subjecting workers and laborers to various and sundry deprivations and for the purpose of denying to them an alleged right to own, control and manage all property and industry in the United States, all to the end that said workers and laborers would be willing to take part in the armed revolution envisaged and projected by said defendants.

(5) Members of Socialist Workers Party would be placed in key positions in all major industries, among others the transportation, mining, lumbering, farming, shipping, and manufacturing industries, so that said party members could and would induce, persuade, and procure the workers and laborers in said industries to join said party, embrace its principles and objectives and obey the commands of its leaders, thereby enabling the defendants and other leaders of said Socialist Workers Party to obtain and exercise absolute control of all industries in the United States to the

end that by paralyzing the same, said projected armed revolution could be more easily and successfully accomplished.

(6) Members of the Socialist Workers Party would be placed in key positions in all trade unions and said party members would especially endeavor to obtain absolute control over such trade unions, so that the members thereof, comprising a vast number of workers and laborers in the United States, would be subject to the will and commands of said party leaders, thus enabling the defendants and their co-conspirators to bring about a complete stoppage of work in the major industries of the United States at any given time, and preventing thereby the duly constituted government of the United States from adequately defending itself against the armed revolution the defendants conspired to bring about.

(7) The defendants and their co-conspirators would endeavor by any means at their disposal to procure members of the military and naval forces of the United States to become undisciplined, to complain about food, living conditions, and missions to which they would be assigned, to create dissension, dissatisfaction and insubordination among the armed forces, to impair the loyalty and morale thereof, and finally to seek to gain control of said naval and military forces so that the enlisted personnel thereof would revolt against its officers, thereby enabling said defendants to overcome and put down by force and arms the constitutional government of the United States.

(8) When the Selective Service Act was passed, the members of said Socialist Workers Party would be urged to willingly accept service, but after being inducted into the army of the United States, to do everything in their power to disrupt, hinder and impair the efficient functioning thereof, and when the appropriate time came to turn their weapons against their officers.

(9) The defendants and their co-conspirators would, and they did, advocate and attempt to bring about control of the Militia by the workers and laborers of the United States, especially by trade unions; and the defendants would advise, counsel, and encourage the said workers and laborers to arm themselves and to become proficient and trained in the use thereof so that they would be better equipped to overthrow, destroy, and put down by force the Government of the United States.

(10) Workers and laborers would be, and they were, organized into military units which would be armed and drilled and taught how skillfully to use pistols and rifles, which said units would be, and were, called 'Union Defense Guard'; said units would ostensibly be used for protection against violent attempts to destroy trade unions, but were in truth and in fact, designed and intended to be used ultimately to overthrow, destroy, and put down by force the duly constituted, Constitutional Government of the United States.

(11) The said defendants and their co-conspirators would, and they did, by and for the use of themselves and other persons to the Grand Jurors unknown, procure certain explosives, firearms, ammunition, weapons and military equipment, for the aforesaid purpose.

(12) The said defendants and their co-conspirators would, and they did, accept as the ideal formula for the carrying out of their said objectives the Russian Revolution of 1917, whereby the then existing government of Russia was overthrown by force and violence, and the principles, teachings, counsel and advice of the leaders of that revolution, chiefly V. I. Lenin and Leon Trotsky, would be, and they were, looked to, relied on, followed and held out to others as Catechisms and textbooks directing the manner and means by which the aforesaid aim of the defendants could, and would be, accomplished; and accordingly, cer-

tain of the defendants would, and they did, go from the City of Minneapolis, State and District of Minnesota, and from other cities in the United States to Mexico City, Mexico, there to advise with and to receive the advice, counsel, guidance, and directions of the said Leon Trotsky.

(13) The said defendants and their co-conspirators would, and they did, endeavor to procure and persuade as many other persons as possible to join with them in their undertaking by printing, publishing, selling, distributing and publicly displaying and by causing to be printed, published, sold, distributed, and publicly displayed, written and printed matter, including leaflets, pamphlets, newspapers, magazines and books which advocated, advised and taught the duty, necessity, desirability, and propriety of overthrowing and destroying by force and violence all governments in the world said by the defendants, their mentors and leaders, to be imperialistic and capitalistic, and of the governments so characterized, the Government of the United States of America was said to be the foremost."

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